THE TRIBUNE.

THURSDAY, MAY 28, 1846.

Travelers and others leaving the City in the after noon are informed that an Evening Edition of The Tribune

The Evening Edition of The Tribune will contain all the additional information which may be received from the Army up to the hour of our afternoon pa-

Should any thing of very decided importance reach us this talked of the matter thus: forenoon we will immediately issue an Extra, but no Extra will be published from The Tribune office unless we deem the news of great importance.

gagement, or stood twenty minutes under fire, should attack an army of fully 6,000, nearly all of sitions, and vanagish them completely, capturing their artillery by a dragoon charge, dispersing their surpassed. It is not by the numbers engaged, nor opposition to the project, saying by the immediate fruits, that the importance of a battle is to be measured; a victory gained on such ground and in such a cause is valuable mainly for the impression it will make on other Nations-for its influence in preserving our own soil from the tread of invading hosts. And in this view these victories are indeed of inestimable worth if they do not intoxicate and carry away our own People, as war for the object of acquiring Texas," &c. &c. well as impress other Nations. We think no veteran New-Orleans or any of the brilliant achievements of our arms in the last War. What nation will care to invade our soil when made aware that it is defended by One Million of men of the same material and capable of being made by discipline such soldiers as the 2,000 commanded by Gen. Taylor? But this is not the point to which we would call

attention. We were thinking rather of the insulting pittance our Nation pays these gallant men for their tolls, privations, perils and blood. Six or seven dollars a month is their stipend, with coarse food often deficient in quantity, the canopy of heaven to sleep under and often none but slimy, putrid swamp-water to drink for days together, and sometimes none of this for a bot, rapid march of hours. Such is the reward of those who bleed in our service; and our eight-dollar-a-day gentry talk of insulting them with a vote of thanks ! Cheap gratitude this, but it will not stop bullet-holes nor allay the pangs of famine, the agonies of thirst. We insist that Congress should begin by being just before it assumes to be generous. The Army pay may be well enough for time of Peace, when the danger is nothing and the duty light, but it ought not to endured a moment in time of War. A dollar a day would be little enough, but twenty dollars a month, with a quartersection of Public Land and a right to an honorable discharge from the service the moment Peace is established, is the very least compensation that should be tolerated. Will not some one in Congress speak just recompense; and whatever there is wrong in this war, or in any war our Government may wage. is the Nation's blame, not his. War is expensive and ruinous, but the poor Soldier had no hand in making it, and ought not to bear ninety-nine hundredths, of its burthens, and endure its horrors unrecompensed. Let him be fairly paid, not in windy cheers and laudations, but in that which will contribute to his comfort and the sustenance of his family. We wish Congress would at once vote a quarter-section of public land and and a handsome gratuity in money to every soldier who has been senacross the Nucces, and the like to the widow or nearest relative of each one who has lost his life in a ser

Years ago, when the Texas cloud on our South-the Union," &c. &c. Western horizon was no bigger than a man's hand. How ardently we struggled, how unremittingly the Union. His letter was widely published, warm- when we see the names of Whigs used to give ly approved, and hardly a murmur of dissent utter- weight to a Park Meeting which gravely ed from any quarter.

by Texas and rejected by Mr. Van Buren's Adminsyth of Georgia, as ardent a Southern champion of Embassador the following as his most conclusive reason for rejecting the application :

"So long as Treas shall remain at war, while the United States are at peace with her adversary, the proposition of the Texan Minister Pienipotentiary necessarily involves the gestion of war with that adversary." The United States might justify be suspected of a disregard of the Trendly purposes of her compact [with Mexico] if the overhe uniform policy and the obvious welfare of the United

To this decision, with the cogent reasons for it. there was no whisper of dissent throughout the Un-The matter was generally supposed to be at an

But in 1843, it was discovered by several faithbuked, was still kept alive and actively, though secretly promoted, and that Gold, Land Jobbing and Executive and Congress, and preparing the way for the triumph of Annexation. They sounded an alarm over their own signatures; but the People would not believe there was danger. Every man in the Free States who spoke of the project at all spoke in its condemnation. Even the Loco Focc press of slavery-ridden New-Hampshire denounced it with loathing and execration. When the last Congress assembled in 1843, Senator Walker of Miss. (now Secretary of the Treasury) came out notorious truth? with a long letter boldly setting forth the great advantages which would result from Annexation .-That letter, though quite able and plausible, so far as we can recollect, was copied into but one journal in the Free States (the New-York Herald) and inserted there in consideration of a promise of payment therefor, which has not been fulfilled. Hardly one journal in the Free States spoke favorably of the project; though Tylerism embarked all its freight of Patronage and destitution of Principle on the Annexation venture, and Tyler's Secretary Wilkins of Pennsylvania came out with a letter in favor of the scheme. But Tyler's Treaty of Annexation was rejected by the Senate, more than two to one voting Nunda. against it; no Whigs (but one) and but few Free State Loco-Focos sustaining the accidental President's undertaking.

But now the project was seized upon by the anti-Van Buren interest in the Loco-Foco party (including many who had no personal objection to Mr. V. Naw

B. but believed he could not be again elected President) for a cry wherewith to rally the Slave holding interest against him and defeat his nomination at Baltimore. Many who were pledged to support him wanted an excuse for going against him, and this was made out of the Texas Question. Mr. hoon are informed that an Exercise Scock Sales, Mar.

Is printed every day, containing the Stock Sales, Mar.

Lets, News by the Southern mail, &c. up to 3 o'clock.—

By inquiring of the Newsboys for the Exercise Edition of The Tribune every one will be able to take with him the latest news up to the time of leaving the City.

Hammett, M. C. from Mississippi, wrote Mr. V. B. a sharp letter, wishing to know very plainly where be (V. B.) stood on the Texas Question. Mr. V. B. replied ably and guardedly, but still in opposition to Annexing until Texas should be at peace with Mexico. He quoted approvingly the language of Secretary Forsyth above given, gave his opinion that the relations of Texas with Mexico remained essentially as when that decision was made, and

"If, as sensible men, we cannot avoid the conclusion that the immediate Annexation of Texas would draw after it a war with Mexico, can if the expedient to attempt it?—

"Could we hope to stand justified in the eyes of desm the news of great importance.

OUTSIDE.—First Page—Later from Mexico; Later from the Seat of War; A Side-view of War; Texas—Doings at the Capital; New Regiment of Mounted Rifferen; Projectedings in Congress; From the Cape of Good Hope; From the West Indies; From Bermuda and Havana; Gen.

Houston; News Items.

Fourth Page—Peetry—May; Nauvoo; The Mormons; Law Courts; Sales at the Stock Exchange; Exports from the Portof New-York; Marine Journal.

Our Soldiers—How Paid.

The whole Country is of one voice and one heart, with regard to the unsurpassed gallantry displayed by our little Army in the late battles on the Rio Grande. That a force of but 2,000 men, not one third of whom had ever before been in a regular engagement, or stood twenty minutes under fire,

We might quote a column like this of the deadliest inunendo against the whole Texas plot as a viowhom had doubtless seen service, strongly posted, lation of our faith plighted to Mexico and a wanton immensely superior in cavalry, so effective on such | rushing into war which could not fail to prove dislevel, open battle-fields, as fronted the Mexican po- graceful to our Country and disastrous to the cause of Freedom throughout the world.

HENRY CLAY was about the same time solicited infantry with the bayonet, and taking their best for his opinions on this subject, and he gave them General a prisoner. These are achievements which with far greater brevity, because greater franchess, in gallantry have rarely been equalled, and never than Mr. Van Buren. He came out in point-blank

" Mexico has not abandoned but perseveres in the asser tion of her right [to Texas] by actual force of arms, which, if suspended, are intended to be renewed. Under these circumstances, if the Government of the United States were to acquire Texas, it would acquire along with it all the incumbrances which Texas is under, and among them the actual or suspended war between Mexico and Texas.—Of that consequence there cannot be a doubt. Annexation

This letter was written at Raleigh, N. C. on the will rank them below the defence of Platisburgh, of 17th of April, 1844, as Mr. Clay was returning from a winter's sojourn in New-Orleans, always the great focus of the Texas Iniquity. We have not a doubt that hundreds had there, at Natchez, Mobile, &c. counseled Mr. Clay, as we are now counseled in regard to the resulting War, "Annexation is certain tain to be popular and sweep all before it. Be politic. therefore and, for the sake of the Whig party. do not oppose it." But Mr. Clay said to all such friends, 'Get thee behind me, Satan!' and spoke out his whole convictions, as became an honest man with a character to preserve and an account to render of his stewardship. And is there one man calling himself a Whig who dare openly say that he wishes our great champion had suffed his convictions, and in consequence were now in Polk's place with the guilt of two thousand bloody deaths resting on his soul? Who would sooner be the powerful favorite of such a man than the humble friend of Henry Clay on his farm at Ashland?

But between the writing and the publication of this letter a great meeting of the citizens of New. train had arrived and been packed, we advanced York, without distinction of party, was held, the venerable ALBERT GALLATIN presiding, with Wm. C. Bryant, John W. Edmonds, Henry Nicoll, Thos. W. Tucker, Wm. D. Waterman and other prominent Loco-Focos among its officers, and Theodore Sedgwick and David D. Field (also Locos) as chief speakers. This meeting, on motion of Mr. Field, unanimously

" Resolved, That the Amnexation of Texas to this Union, be tolerated. Will not some one in Congress speak out for the brave soldier? His may be ever so bad a trade, but the Nation which hires him for and trains him to it cannot plead that in bar of his claim to a do condemned by the unanimous voice of the civilized and Cheisten would be supported by no sense of right,

On the 12th of September following, the Whig State Convention of New-York met at Syracuse. and there unanimosly

"Resolved, That the iniquitous and dishonorable scheme for the Annexation of Texas, the device of treachery and fraud, for the worst personal and partisan purposes, designed for the benefit of speculators, plunderers and disantonists, is an outrage on the Rights of Man, the Laws of Nations, and the honor of our Country," &c. &c.

Mr. Clay's opinions on this subject having been perverted and belied, he wrote again from Ashland on the 23d of September his last public letter before the Election, in which he says,

"I wish now distinctly to say that there is not a feeling, a sentiment or an opinion expressed in my Raleigh letter to which I do not achieve. I am decidedly opposed to the immediate Annexation of Texas to the United States. I

the lofty and pure-hearted Channing-a man of no we labored through that long, vehement contest to party, but a preacher of Righteousness-discerned enforce the truths set forth in the above extracts, the true character of that nefarious conspiracy which, need not now be said, save to add that we did not under the cloak of Liberty, was bent on the exten- make nor endorse a statement on the subject which sion of Slavery over a region as large as New-York we did not and do not implicitly believe. Has not and New-England under the flag of our Union .- | sad experience proved the worst anticipations true? He raised his warning voice against the vile plot: And how many days is it since Sam Houston deand, in a letter to Henry Clay which does honor clared in the Senate that we were involved in War even to his mighty mind, he declared it the duty of with Mexico from the moment our Government the Free States and of all lovers of Freedom to consented to Annexation, and must now fight it resist this Texas Iniquity even to the Dissolution of out? What can we think, then, what can we say,

weight to a Park Meeting which gravely

"Resolved, That the aggravated and multiplied wrongs to

"Resolved, That the aggravated and multiplied wrongs to

which our Country has been subjected by the authoritie
of Mexico for a long series of years, and for which repara
tion has been repeatedly demanded, and continues to be
withheld, and which are at last followed by the refusal to
receive an Envoy appointed to make an amicable adjust
ment of existing controversies, and consummated by actua
hostilities, have brought our relations with that natio
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withheld, and which are at last followed by the refusal to
receive an Envoy appointed to make an amicable adjust
to a long the subjected by the authorities of the subjected by the authorities of the properties of the properties

Is all honesty not only, but all regard for decency, banished from the earth? What can men who al-The United low their names to be thus used think of themselves? Relative purposes of her compact [with Mexico] if the overture of Gen. Hunt were to be even reserved for future consideration, as this would imply a disposition on our part to
esposise the quarrel of Texas with Mexico—a disposition
whelly at variance with the spirit of the Treaty, and with
whelly at variance with the spirit of the Treaty, and with We know well the history of this resolution-how but could not in conscience assert that Mexico was the offending party in creating it. We know that several independent and high minded men refused to permit the use of their names after learning the character of this resolution. But how could one stand it? What can any Whig imagine is the poful Members of Congress that the scheme, thus rewe have steadfastly maintained up to this time-Slave Jobbing were steadily at work corrupting our in the books of the Recording Angel? And how can any honest, conscientious Whig make such a perfect David Graham of himself as to declare Mexico the offending, aggressive party, when not only the whole Whig party but thousands of our most eminent adversaries, with all impartial observers, have steadfastly asserted the contrary, and every page of the history of the last ten years abundantly demonstrates that our Rulers are grossly in the wrong? How can it be policy to deny such

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The Liceuse Question.

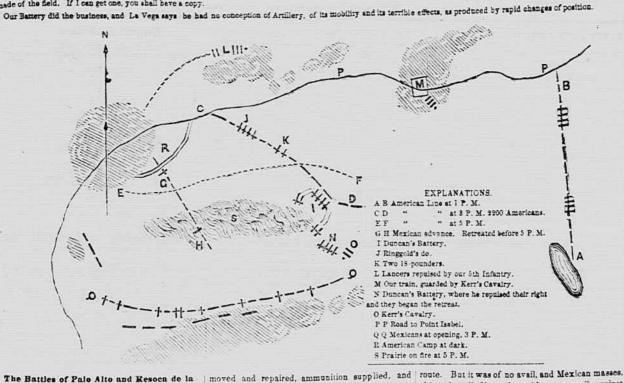
Frankfort.... Herkimer.... Litebfields....

PLAN OF THE BATTLE-FIELD AT PALO ALTO.

DRAWN EXPRESSLY FOR THE NEW-YORK TRIBUNE

BY AN EYE-WITNESS (AND RATHER MORE) OF THE BATTLE.

This is a rough plan of the Field, and may give you an idea of our positions. I had no time to measure, and make this from recollection. A handsome draft will be made of the field. If I can get one, you shall have a copy.



The Battles of Pale Alto and Resoca de la Palma.

Correspondence of The Tribune.

Camp near Matamonos.
Under the guns of Fort Brown, May 11th, 1846. GENTLEMEN:-You are already aware that Gen eral Taylor sallied out of this Camp on the eve of the 1st of May for Isabel, leaving the Fort garrisoned by about 550 men under Major Brown. On the 2d at 12, M., we arrived at Isabel, having marched nearly all night, and without any interruption from the Mexicans. On the 7th the army left for the Fort, with a train of between 300 and 400 wagons, laden with ammunition, guns, provisions and forage,) expecting to have to fight for its protection .-About one o'clock on the 8th, when about 15 miles from Isabel, the advanced guard saw a small party of Mexican cavalry in the skirts of the chapporal.-Our line of battle was immediately formed in the prairie, with our right resting on the chapporal, which first approaches the road at that pisce. continued our advance in line, and soon became convinced that the Mexicans were in our front in great numbers, and that they were in position for battle. We were thrown into the chapporal, and as about 1,000 of the enemy were advancing in line of battle, dispositions were made for his reception. We soon observed that the main body was off to the left of the advancing party, and that they had some pieces of artillery in the edge of the bushes.

Gen. T. formed line again, supporting his right on the wood, and moved forward several hundred yards toward the advance of the enemy. As our again with Major Ringgold's battery on the right Capt. Dancan's on the left, and two 18 pounders in the center in charge of Lleut. Churchill. We had advanced to within 800 yards of the enemy, when he opened his batteries, and poured a dreadful fire upon us. We waited patiently for a few seconds in order to observe the number and effect of his guns. and then our batteries played briskly and beautifully for about two hours, upon his columns of Cav. alry and Infantry, and caused his left to fall back .-Our batteries gradually advanced, supported by the

an opportunity of replying.

The 8th Infantry and Capt. May's Cavalry, being on the left of Duncan's Artillery, suffered very severely in this part of the action. About 5 o'clock the prairie took fire on the left, and extended along from each other, and the cannonading ceased for about half an hour. We had moved forward our whole line, and were occupying the ground held by the emy at 3 o'clock. General Tornijohn, with a large During the suspension of the firing, our field was ed and wounder

SLAVE INSURRECTION .- A Pensacola (Florida) correspondent of the Cincinnati Citizen writes under date

"Last night was an anxious one, with nat a woman had as a sufficient number of white men went off to the war dexican,) they would rise, burn the town, and dee he white women and children. The citizens were right patrolling; they have put one of the negroes in jai There is great excitement, and every exertion is made to find out the truth of the story. Every body is armed, and some of the ladies are so frightened that they keep pistols loaded. As a great many negroes are employed at the Navy Yard, Commodore Latimer has keptit under martial law. If it had not been found out, God knows what would ave become of us here, as there is not a ship in port.

SEVERE STORM .- A tremendous thunder storm passed over New Bedford and Taunton on Saturd ay ever-ing. The effect in the latter place was particularly un pleasant upon the audience of a New-York Circus Conpany, who were performing a mile from the centr the town. The canvas resisted the storm for some manfully, but at last it yielded to the external "pressure." and the large sudience of both sexes, were thoroughly drenched. Many of the lights were extinguished, and smid the confusion and darkness, and the outcries of the women and children, the roar of the thunder and flashes of lightning added to increase the terror of the scene. The storm reged fearfully until nearly midnight, and in the meantime the audience were compelled to and in the meantime the audience were compelled to plod their way back to the town in the midst of the dark ness and confusion, in most admired disorder. The ness and confusion, in most admired disorder. The lightning struck in various piaces, and a gentleman in the cars, on Monday morning, saw and ne cars, on Monday morning, saw various trees by the cadside which had been destroyed during the storm.

Providence Journal. Governor DIMAN, of Rhode Island, has issue his orders, through the Adjutant General, in compli-ce with orders from the War Department, calling on the citizens as are disposed to volunteer, to report them-ves forthwith to the Adjutant General, in order that the juired number from that State may be obtained. If this not done, within a proper time, the drafting system will researched to.

MASSACHUSETTS .- Governor BRIGGS has issued a proclamation calling on the citizen soldiers of Massa-chusetts at once to enrol themselves in sufficient numet the request of the President of the U. States

COMMANDANT OF THE OHIO FORCES.-We hear it intimated that Gen. O. Hinten will probably be select-ed by the Governor to lead the Ohio Volunteers to the

The Legislature of Louisians has approristed the sum of \$200,000 for the equipment and trans-portation of Volunteers.

SILAS HOYT, a venerable Patriot of the Revolution, died in Greenfield, Saratoga Co. on the 20th inst. aged exactly S4 years. He died on his annual birth-day. GREAT FIRE.-About 8 o'clock last night, a fire broke out in a large wooden building in the rear of the Mayor's Office, on Third st., occupied by Lealie & Randall, painters and glaziers, and others which together, with four or five other smaller wooden buildings were destroyed.

[Cincinnati Union 23.

UNION BANK OF TENNESSEE.—We learn from the proper source, and we are gratified to state the fact, that the Directors of the Union Bank of this city have unanimously adopted a resolution, tendering to the Governor of the State a loan of one hundred thousand dollars, for of the State a loan of one hundred thousand dollars, for the use of the volunteers who may be ordered to the "Seat of War." Too much cannot be said in praise of this set of parriotism. It is a common axiom, that "ecr-porations have no sonia," but this act of the Union Bank proves the reverse. [Nashville Orthopolitan.

OSWEGO AND STRACUSE RAILROAD .- This com pany organized at a meeting of the stockholders held in Oswego on Thursday last, the 14th inst. The following are the names of the officers chosen: President—Alvio names of the officers chosen: Prendent—Alvia ; Treasurer—Luther Wright; Durestors—Alvin Luther Wright, David P. Brewster, Henry Fitzlvester Doulittle, F. C. Osborne, Hamilton White, avenworth, Lyman Crary, Alfred Munson, Holmes on, George F. Tallman, and Jesse Bennett. THE MUTINY CASE.—The five sailors who were

prested the day before yesterday for mutiny on board the hip R. Shaw, have been remanded for farther examina-tion. [N. N. Bee, 19th. A disanguished member of the Philadelphia Bar preserves just the lease for a house at Fourth and Pin sts. with the autograph " Louis Philippe D'Orieans."

water procured for the men, who were suffering although well directed, could not prevail against greatly from thirst, as the whole prairie was on fire American character. Our whole force did not and the day intensely hot. Our whole force having amount to 2200 men; but they were good men and moved to the right, a severe cannonade was opened true, and achieved results most glorious for our from all the enemy's guns upon that portion of the arms. field, and did a good deal of execution. Major Such was the Battle of Palo Alto, or the Battle Ringgold was mortally wounded, and his horse of the High Trees, and taken in connection with shot under him, while supporting this part of the the results of the following day, will furnish a page line. This furious onset of the enemy was evident in American history that will not suffer by comparily made on our right to draw us there, while the son with any other. whole right wing of the enemy was moving under On the 9th, at dawn of day, the enemy was seen cover of the burning prairie to turn our left. Hap-pily, they were discovered, and Duncan's Battery, log another position for battle. Gen. T. determined supported by the 8th Infantry and Kerr's squadron. to give battle again, and swung out into the plain. moved around the end of the burning prairie and with our right on the wood. We soon discovered opened one of the most terribly destructive fires of the enemy's dead and dying in great numbers, boxes

charge, were in full retreat from the field. my to think our Infantry were firing, and they ble fire, as well as the number of new-made graves. opened a heavy musketry fire upon our left. At and also a dismounted six-pounder. Our main this juncture our batteries on the right were charged | body halted, parties of observation were sent out in by the enemy, and the troops who had just put the every direction, the enemy's dead were buried, enemy's right to flight were called to support our their wounded taken care of, and by half past 1 P. right. The Artillery Battalian under Col. Childs M. we were ready to move for Fort Brown with formed square, and the enemy advanced, delivered the whole of our train. We had nine miles of dense a fire, wounding Lieut. Luther slightly in the leg, chapporal to pass through, and only one narrow deand then retreated, receiving in return the fire of file to move in, which afforded the enemy a number the square, and a charge of grape. As it was now of atrong positions for disputing our advance. after sunset and quite dark, the enemy's fire ceased. About half past 2 P. M. our van came up to their and we took our position for the night on the field main body, and was fired upon; and at 3 both arwhere we were at the close of the engagement, ex mies were engaged, and fought the Battle of Resapecting to renew it by daylight, if not before.

Our whole loss, including killed and wounded.

kins-square, and routing them out of the shantles and rum

This evil is annually becoming greater, and we earnestly

The steamer Proprietor is now running re

holes in that vicinity.

our newly-organized Police force.

Albany line are on the ground.

pid sens."

Onr hero continues:

the meanest capacity.

the Wire remained unbroken at that point.

ough the shady groves of Texas. The recollections of

not so good as this specimen of the bombastically aniithet-

Arista may boast, and Ampudia threaten; but their

forces are doomed to fall like ripening grass before the reap-er's scy the, ere our standard shall be scathed.

we presume the Editor of the Farmer's Library has never

heard of, although be is both General and Agriculturist .-

Fellow citizens of Ohio! organize yourselves into com-panies, and report yourselves immediately to the Govern-or. Your services may not be needed—but we should be prepared at any day to march, knapsack on back, to the soldler's drug.

'On the first cry of war to our arms we will fig.

We don't exactly see through the ' marching to the sol-

lier's drum," leasmuch as we thought our troops were to

march to the Rio Grande; but the appropriateness and

an army invading a foreign soil-will at one strike the

There was a very severe bail-storm on the

Rudson Tuesday night, accompanied with thunder and lightning. The sky-light of the steamboats were broken

in, and the fields and gardens on either side of the River

And swear by Jehovah to conquer or die, Defending the land of the FREE!

gularly as a ferry-boat to Coney Island.

round shot and Shrappell shells that troops were ever of ammunition, muskets, dress-caps, swords, lances,

exposed to, and in a few moments from 1,300 to banners, &c. &c. strewed all over the field, and we 1 500 Cavalry and Infantry, who were formed for a were convinced that they had retreated into the dense chapporal. On reaching the bushes we found The shells being filled with balls caused the ene- their hospital, which exhibited proofs of our terri-

ca de la Palma, or the Palm Ravine. I cannot The Battle commenced about 3 P. M. and closed give you the particulars in this sheet; but suffice it about half-past 7, and our army behaved in the most to say, that we captured 9 pieces of artillery, 400 gallant manner. Not an officer or soldier flinched; mules, great numbers of pack-saddles, all their bagbut on the contrary they were cool and ardent to be | gage, stores, ammunition, military chest, great numled on to the fight. Capt. Page was seriously bers of prisoners, including Gen. La Vega and other wounded by a 6 pounder shot. Major Ringgold officers, and camped at night on the Rio Grande. has since died from his wound. The 8th Infantry It was the most perfect route, after two and a half lost 22, killed and wounded. Duncan's Artillery 4 hours hard fighting, that I ever witnessed. Our wounded; 4 horses killed and some carriages broken loss does not vary much from 150 in the battle; the Infantry, who unfortunately were not in musket by the shot. The Artillery Battalian lost 13, killed enemy's, including those drowned in attempting to range, and were exposed to a galling fire, without and wounded. The 5th Infantry lost 5, killed and crass the Rio Grande, not far from 1,000. They acwounded. Major Ringgold's Artillery and the Cav. knowledge about 1,650 loss in both battles. After alry lost a number; but I am not able to give their the first battle, they received reinforcements from Yours, &c. Matamoros.

did not exceed 50, while that of the enemy was P. S. Your brave friend Lieut. Roland, was alour whole line, so that the two Armies were hid about 200 killed and 400 wounded. The enemy's ways proud of his sword, as every American officer force, as reported by dying prisoners, by officers should be; and he now feels prouder than ever of it, captured on the following day, and as shown by the for it was struck by a 6-pounder shot near the cenappearance of their immense masses, was 6000 Infanter, as it hung by his side. Mr. John B. Cozzens of try and Artillery, and 1000 Cavalry and Lancers. your city acted as a volunteer aid to Col. Belknap body of Lancers, attempted to turn our right and Their Artillery consisted of 10 pieces, 6 pounders, 9- on this occasion, and dashed around the field in the get to our train, but was repulsed with loss by the pounders and 12-pounders, which fell into our hands most gallant manner. Lieut. Daniels, of the 3d Ar-5th Infantry and a portion of Ringgold's Artillery. in the battle of the 9th. They had some small field tillery, had his horse shot under him. Gen. Arista's pieces which they carried off. Gen. Arista was present | morning report shows that he had 8100 men under of the strongest positions on our his command. Yours, &c.

Boyld taken one of the strongest positions on our his command. Yours, &c.

Rowdies about the Public Squares—The Herald has a notice of the 'truly disgraceful exhibitions' which take piace in and about Tompkin's Square, and the pickpeckets, black-legs, sharpers, women of ill-fame, soappickpeckets, black-legs, sharpers, women of ill-fame, soappickpeckets, black-legs, sharpers, women of ill-fame soappickpeckets, black-legs, sharpers, women of ill-fame, soappick of decleved which Judge Lynch was portained was unconstitutional, as if was not asked for by the Corporation of N. York, not passed by a t

ter, until they succeed in removing the rowdies from Tomp- other day requested a lady to 'peruse' a book of patterns. AN ASSORTMENT.-Happening in at a friend's book store yesterday, a customer from the country came It has long been a standing complaint sgainst the authorling out his memorandum inquired for 'Ovid's ies that our delightful public squares and promenades are Art of Love, ' Finden's Philosophy and Theology,' ' Boninfested with loafers and rowdies, so that respectable ladies nycastle on Mensuration, 'The Rest of Don Juan,' Josephus,' and 'Youatt on the Horse.'

are in a great measure prevented from visiting them .-We hear a great many complaints already unite with the Herald in calling to it the early attention of of the appearance of Mosketoes in the upper part of the City. Since the introduction of the Croton the Cisterns have been neglected and many stand full of stagmant and foul water. Hinc ille lachrymer! which being interpreted The ELECTRIC TELEGRAPH from this City means, 'Here's where the mosketoes come from.' These Boston is complete, with the exception of laying twelve cisterns, too, are fatal to health and ought to be drained and purified immediately, and then the communication miles of Wir: (the posts are all up) in the vicinity of Bridgeport. The Albany and Buffalo line will be in operafrom the water-conductors stopped off so that they should tion as far as Rochester on Monday next. The Baltimore not fill again. This is a matter of great importance.

and Philadelphia line will open in about a week through FARTHER OF THE GALE .- Among the effects of the entire distance. The materials for the New-York and the storm of Monday afternoon the Morning News records the following: "The brick factory owned by Peter Ren-The Philadelphia line was interrupted on Tuesday night. nie, for the purpose of dying and finishing ginghams, at but we hope will be resumed to-day. The interruption the foot of Seventieth-st. E. R. was crushed to the earth was probably occasioned by the thunder-storm. One of the by the tremendous violence of the hurricane, while twentyposts in Newark was struck, and split quite in two, but five persons were, at the time, engaged at work therein! a large number of whom were severely injured. One man, Capt. RYNDERS is 'out did' by the patriotic four women, and three boys, received dangerous contusions fiamididdle of the Editor of the Ohio Statesman. 'Call from the falling mass, and one of the women is not exupon Ohio!" cries this fire-eater. "The hallowed land of pected to recover. The scene is said to have been exceedthe Lone Star is dear to the remembrance of every patriingly painful, and it seems miraculous that none were killed outright. A large three story edifice in progress of otic heart. The demonisc shouts of the foe still ring erection at the foot of Thirteenth-st. was also prostrated the injuries our brothers bore, and a determination to plant by the force of the wind, and one man killed." our conquering eagle within the heart of their conquered

POLICE-Pesterday.-Within the last few days Police—Festerday.—Within the last few days two families of high respectability, residing in Philadelphia, have been thrown into the greatest distress in onsequence of two young and beautiful girls, one of whom is about 15 and the other loyears of age, having eloped from their homes and fied to this city under circumstances of the most painful character. The fugitives were discovered and handed over to the care of the matron with entry prison, whence they will be restored to their families... A man and wife named Lawler were arrested for grand largency.... James Westerfield for selling lottery tickets. land, will bring to the nation's flag thousands of her intre-To plant an eagle in the heart of something good-but man and who named westerfield for selling lottery tick No. 88 University-place was bruken open on T evening and robbed of a quantity of silver ware. Reaping grass and scathing standards are feats which evening and rooped of a quantity of surer water was ward Gallacher was arrested for dropping a pocket-book on Thomas Dalton... There were only half a dozen petitlar-canies... Joseph Dorman was arrested for assault and battery and furlous driving. He was fined \$5 for the latter and held to bad in \$200 for the former.

CORONER'S OFFICE—Yesterday—William Donelson was drowned while attempting to go on board the In-dependence, on which ship he came passenger a few d yra ago... James Weisn, of States Island, Jumped off a ferry-boat at the South ferry hast night and was hauled our with

> BROOKLYN AFFAIRS. Bridget Keenan, a servant-girl, was arrestad for stealing a watch from her employer and 520 from

beauty of the poetry-especially the last line as applied to another lady.

Mrs. Julia Grady died yesterday from the effects of falling down stairs.

We are indebted to Hon. A. SMITH for sopy of the President's Message and accompanying Doonments relative to the War with Mexico.

very much beaten down and injared.

The Springfield Republican says, that successful and continued communication was bead and correspondence carried on between Bo-ton and Springfield by the Magnetic Telegraph on Monday.

From our Regular Correspondent.

WASHINGTON, May 26th, 1848-Midnight. There is little news of importance to night, with the exception of the daily proceedings of Congress. and the official dispatches, published in this morn. ing's Union, from the seat of war, which you have

The Senate had quite a large Executive session to day. They were occupied with the nomination of Gen. Taylor as Major General of the U. S. Army,

who was confirmed.

I believe they also had some talk of reconsidering the rejection of Mr. HENRY HORN as Collector of Philadelphia—but the vote was not confirmed. He

A letter has been received from him in reply to Mr. Vinton's Committee, stating that he had received the order and would attend. I believe Mr. F. O. J. received the order and would attend. Delieve Mr. F. O. J. SMITH'S testimony has quite disappointed the enemies of Mr. WEBSTER. Let the public bear in mind that this Committee was appointed to impeach for WEBSTER: A majority are of the opponents of Mr. WEBSTER: if they fail to bring in articles of impeachment, it will prove that they can find nothing against him.
To-morrow Mr. Benton will continue his show-

ing-up of the 54° 40° men.
To day, like yesterday, has been intolerably hot. The days are as hot as they can be, and the nights hotter! We have no thermometers here, and there fore I cannot tell you how hot it is. Probably it is because we have nothing by which to gradu-RICHELIEU.

THE NATIONAL FAIR-Fifth Day .- So largely The NATIONAL FAIR—Fifth Day.—So largely has the Exhibition grown, both in interest and extent, that we should 'eel it impossible to keep pace even with the nonotice of the new articles added to it; at least with such at tice as their beauty and importance instity claim at our hands. The quantity of new goods displayed during the three last days has been so great as to completely change the general effect of the Exhibition, and to give a new aspect to the scene. The public futerest in it appears also to increase in more than a corresponding ratio, and the building has been considered dirting teachers and the day and ing has been crowded during yesterday, and the day and night preceding, with an assemblage of highly gratified spectators, who appear fully to appreciate the object of the and to patriotically rejoice in the evider ch it affords of the rapid progress which the co naking in the useful and the ornamental branches of art Gov. Smith of Virginia has not laid aside

the green bag'since be was invested with the Executive robes. He appeared last week in a surder case, in Fau-quier County, and defended the prisoner. This is the first Governor that we ever heard of, who did such a thing while he was in office. [Norfolk Herald. FLETCHER WEBSTER, Esq., bas been sp-

pointed by the Board of Aldermen to pronounce the Fourth of July Oration before the authorities of the city of THE NEWARK CITY GUARD.-This volunteer

Things in Philadelphia. Correspondence of The Tribune

PHILADELPHIA, May 27-P M A prominent wheelwright has just informed me

A prominent wheelwright has just informed me that not less than 300 wagons had been contracted for, and are now building in this city, for the Army of Occupation. They are to be immediately abliped to New-Orleans upon completion.

A beautiful young girl, named Mary Speron, was this morning sent to the House of Refuge at the request of her parents, by the Mayor, for immoral conduct. She is only about 15 years of age, and has been, in a measure, ruined by a set of villains, two or three of whom are in custody.

Our Navy Yard is now all bustle. The sloop-of-war Germantown will be ready for launching arout the

Our Navy Yard is now all bustle. The sloop-of-war Germantown will be ready for launching anout the middle of June. One or two other vessels are to be immediately placed upon the stocks.

An accident occurred on the Reading Railroad yesterday. A coal train and a passenger train come in contact—a cow was run down and awfully crushed, and several of the cars were thrown off the track—all without the breaking of any bones or the loss of human life! Such carelessness should be made a criminal offence.

A distillery caught fire in Southwark yesterday afternoon and made a terrible blaze! Wm. C. M'Intosh, the owner, was seriously burned.

A young man named John Benning was sent to prison yesterday by Aid. Brazier, charged with indicting a serious wound upon the person of his employer, Geo. W. Dohnert, with an iron rule.

A fair amount of business was done in Stocks to-

Dohnert, with an iron rule.

A fair amount of business was done in Stocks to-day, but prices were on the decline. Penn. 5's sold at 53's a falling off of s and Reading Bonds at 71's a decline of s. Reading Shares sold at 31's In other descriptions there was no particular change, except that the market

Court Calendar Tats Day COMMON PLEAS—Part I — Nos. 55, 73, 65, 77, 85, 11, 13, 283, 87, 0, 61. Part 2—Nos. 56, 160, 162, 164, 166, 158, 172, 174, 88, 132.

Law Courts.

Court for the Correction of Errors — The People vs. Robert H. Morris, one of the Supersurer of the City of New York.—Action of dent to recover \$250 of Mr. M. for refusing, on the 9th July, 1841, to perform his duty as a member of the Board of Supervisors, her declining to anoit and allow the account of James Lynch, one of the Associate Judges of the Court of General Sessions.

The case was originally tried before Judge Kent at the Circuit Court in Feb. 1842. The minutes of the Board of Supervisors were produced at that trial, when a bill was shown to have been presented from said James Lynch for one year's ealary, amouning to \$2000. After various proceedings a majority of the Board refused to pass the bill. Mr. Whiting was at the time District At torney. Judge Lynch wrote to him, as shown on the trial, stating his regret in having to present persons in their high official stations, but the would not be deterred by any false delicacy from doing so, when they set up their individual opinions against the decisions of the constitutional authorities, &c and requested him to enter action against Robert H. Morris, Mayor, Feitx O'Neil, David Vandervoort, Mosee G. Leonard, Elijah P. Purdy, Abrabam Haifield, Samuel Bradburar, Cornelius B. Timpson, Edward S. Innes and Frederick R. Lee, Aldermen.

Further appeal was made to the Court. Decision post-

Farther appeal was made to the Court. Decision postponed till December.

Peter A. Hargous vs Eugene Ablam and Robt. R. Bayd.—
Mr. H., a merchant of this city, purchased of E. Abian &
Co., also merchants of N. Y., to fill an order for Mexico,
six bales of cottonades purporting to contain 5326 yards,
for which he gave \$950 85. He shipped the goods to
Mexico, and paid \$1211 03 duties on them there, besides
commission in New-York and in Vera Cruz, \$17 82. msking, in all, \$2579 83. It turned out, is measuring the
goods at Vera Cruz, that there were but 3265 yards,
Messra Albin & Co refused \$175.73, the difference in
the measurement but refused to pay any difference of
duties paid in Mexico. &c. and as it is the rule of the
government of that country not to refund in such a case
the whole \$121 (3 was returned by it for the duties,
although if no mistake had occurred, the duties would
have been but \$4862 55. Mr. Hergous' entered sult against
Messra. Albin & Co., for \$413.29 being the difference, deducting what had been refunded, with interest. It was
ried before Judge Oakley, in the Superior Court, in
Nov. 1840. It appeared that Messra. Albin & Co. had
received the goods from this Bank of Industry, at Hamreceived the goods from this Bank of Industry, at Ham-Nov. 1840. It appeared that Messrs. Albin & Coreceived the goods from this Bank of industry, bury and the mistake occurred by the goods marked in such a way as to make the messu. marked in such a way as to make the measurment appear as in French names, whereas the measurement was by the Brabantaine, which is much shorter. The goods were shipped to Vera Cruz in the original packages. Judge O-alley considered that Mr. H. had no right to claim for duties and commission paid in Mexico, and a nonauli was allowed. The case was carried to the Supreme Court, which affirmed the decision of the Supreme Court, which affirmed the decision of the Supreme Court, with \$103.27 coats, and fariner appeal is made to this Court. Messrs. Willet & Greig, and Daniel Lord Jr. spepared for Mr. H. ad Messrs. Martin & Strong, and Chas. O Conor, for Messrs. Ablon & Co. Decision postponed to December.

trial was granted.

Toucles adv Wright.—Motion to set aside report of referees

THE SOUTHERN MAIL.

formal and he was not ejected. It is said Murphy holds
Dennelly for the rent, and the latter recks to recover back
what he paid to Mr. E. The Court held that if Murphy
was in array to the landlord for rent the latter held a right
to receive such from the sub-tenant. A nonsuit was

related to receive such from the sub-tenant. A nonsuit was

For plaintiff, Messts, Callaghan and Hoffman. For demdant, Mesars, Grim and Mitchell.
Betere Judge Daly.—B. D. Siction vs. Richard Daniels
and Francis Tryon.—Action of replevin in relation to a pair of horses, already referred to. Verdict for plaintiff, valuing the property at \$350. For plaintiff, Messrs, Blunt, Heary and J. M. Smith, Jr. For defendant, Messrs, Mar-

stands rejected.

For plaintiff, Messrs, E. Norton and J. T. Mills, For defendant, Messrs, Blunt and Eddy. BOARD OF EDUCATION -lease A. Johnson, President in the chair. Several bills were ordered to be paid among them the bills of Jordan L Mott, and Lightbooy & Irvine, amounting to \$311 40, for stoves and pipes for

new school-bouse in James st., deducting \$31 from latter for overcharge.

A communication was received through the Special Committee, from Mr. Halsey, stating that the assistant teachers and Montters of the Ward schools will be received into the Normal school on their conforming to the regulations.

regulations,
Mr. Nicolii, Comm. First Ward, offered a resolution of
thanks to Isaac A. Johnson, Esq. President, for his efficient and impartial course as presiding officer during the
last year. Seconded by Mr. Emmet, and unanimously The President returned thanks. In retiring from the Board, he said, he could not omiturging upon the mem-bers to obtain an amendment of the School law, having for its object more powers and greater efficiency in the for its object more powers and gree Board. The Board then adjourned.

ATTEMPTED MURDER -- On Saturday morning. ATTEMPTED MURDER.—On Saturday morning, in the town of Alden, 15 miles from this city, a woman named Catharine Kiefer, wife at Philip Kiefer, a German, attempted to kill her husband by stabbing him with a shock hife. The wounded man has been sworn by a magistrate, since the occurrence, and states that he was holding one of their three children in his arms and feeding it, when his wife came up and asked him to cut her a piece of bread, which he was in the act of doing when she drew from her bosom a sharp knife and stabbed him twice very severely in the neck. She then scratched she drew from her bosom a sharp knife and stabbed him twice very severely in the neck. She then scratched her own neck a little with the kire, and threw herself on the floor, where she remained until the nelghbors came in and secured her. She affected to be crazy, but no one seems disposed to give her the benefit of that plea. She is now in jail. A love affair is rather supposed to be the cause. Mr. K'efer is the son of a very respectable mechanic, Geo. Kiefer of this city, and is an honest, quiet and unoffenive man. He was still alive at 8 o'clock leat evening, but it is the opinion of his physician that he cann it survive.

MURDER — A man was discovered leat week murdered, a short distance below Vincennes, Ind. at a woodyard, by the officers of the Pilot. He had been killed, it is supposed, only a few hours. His money was in his pecket, undisturbed. Suspicion rested upon a neighbor against whom he was to appear as witness on a charge of theit.

FATAL AND DISTRESSING ACCIDENT.—An acci-

FATAL AND DISTRESSING ACCIDENT .- An acci-

ACCIDENT.—An accident of a peculiarly painful character occurred about of ht o'clock on Saturday evening, near the corner of Green and Fifth sts, in which two children of Mr. August us Farnham —Alwin, Swe and Ann, three years, and Amanda Clark, an orphin girl about fourteen years of age, who was living in the family—were so badly burned by the lenition of austit the family—were so badly burned by the ignition or spirit as to cause their death in a few hours after.

[St. Louis Republican, 19th.

tinginess Notices

SCHOLARS' FAIR .- An exhibition of drawings, perman ship, needlework, maps, mechanism, minerals, shells, and other specimens prepared and collected by the scholars of various institutions, will open on Saturday next at the Pub-

lic School Building, 140 Grand, corner of Elm-st. Tickets 124 cents; children half price. Dr. WERSTER has removed to 103 Chambers-st. where he and his Clairvoyant may be consulted for disease daily, be, tween the hours of 10 A M, and 3 P. M. my 26 3teods

For Don't miss seeing those wonderful and most inter-cating Mammoth B. vs. at the American Museum, they are certainly the greatest curiosity of the hamen Mind ever ex-hibited in the country. Only think, 7 and 9 years old and weigh over 5.00 pounds. To use a common expression, they areas: "hig round as a hogshad," and a greated all fat-ter. They are to be seen at all nours, and give their Mes-merism at intervals, and in their Great. Performances at 3 and 6 oldock P. M. The model of Venus, with a talented anatomiatio explain, can also be seen at all hours.

We cannot too frequently impress upon the commu nity the necessity of invigorating the h failing out and free it from the causes which produce dissees incidental to the head. Phalon's Chemical Heir Invigorator is strongly recommended by the facalty and selentific men generally, as being the most efficacious now in them is generally, as below do most emections now in use. No Gentleman or Lady's tollet should be without it.— Price fifty cents a bottle—large size \$1. Prepared and sold toy F. Phaton, Wig maker and Hair cutter, 61 Broadway, and for sale by drug and fancy dealers generally, in Chy and Country.

SANDS'S SARSAPARILLA - It is unwise to be too incredu-

Patent Medicines, they deem it sufficient to it form the Public and the traveling community where the original articles can be obtained in in their efficient excellence, at their Se sufficient Laboratory in the great traveling thoroughfare, 21 Cortiand

The original and genuine Pain Extractor Depot. Have's Liniment for the Piles. The Estract of Sarsaparilla to purify the blood. The Estract of Savasparilla to purify the mood.
Fast India Hair Dye.
Rosch Bane to kill Roaches and Bed Bugs.
Also, the only Laboratory and Soap Works for the genuew Walout Oil Military Shaving Soap, made only genuine

Johnson's Kalydor for removing freckles, tan sunburn and Johnson's Kalydor for removing freckles, tan sundurn and seantifying the complexion.

A warrasted remedy for Rhounaism.

Sick Headsche Remedy,
Handserchief Essences, all kinds.

All varieties of Perfumery
Balm of Columbia for the Halr.

Os Marrow and Sear's Oil, warranted pure.

Mirfian Balesm for the balr.

Antherus Oils, Otto of Rose in gilt bottles, &c. at the
Scenn Soap Works and Laboratory 21 Cortland-at. New-fork.

York.
The only true depot for the Megical Pain Extractor, is at 21 Cortland-st. m28 im Norice.—The Walnut Oli Military Shaving Soan, which

has no equal, is the invention of Mr. Wm. Johnson, now the only manufacturer of the true stricts, at if Cortlander, and has no connection with any Veronn & Fowler, as repre-sented by those who endeavor to make, capital out of the name for the manufacture and sale of a spurious article. my18 1mis To The only true depos for the Magical Pain Extractor mis links

Gucanth's Anacobottes. No. I .- There is a man "down Ea. t" whose bale is so red that when he game and down

Greens Haar Die, and then walk stread at nounts, it is probable the same fowls nould go to root, in the belief that the dark sight had come! However true this may be 1 is quite certain that never yet was man or woman so Tanned, freckled, Pimpled, Sallow, Changad, Mottled, Red. Roud, for Dare attinced, but GOURAUD'S matchless Latina Medicated Soap would speedily remove these vite-making discused Soap would speedily remove these vite-making discusted Soap would speedily remove these vite-making discusted Soap would speedily remove these vite-making discusted Soap with the paid cast of thought, for coloriess from other concest, GOURAUD'S Lepand Rouge will impart a permovant and traity magnificent varieties. It will impart a permovant and traity magnificent varieties, which will always read the growth of helr upon their upper lips, than, tempers, for case completely exclusive the nulsakee by using GCURAUD'S magical Pondrer Subfile.

[37] The genume preparations of Dr. FELIX GOURAUD cannot be parentised elsewher than at his Cosmeric and Perfamery Dépôt, 57 Walker-st. first store from Broadway.

Measrs, Martin & Strong, and Chas O Conor, for Measrs,
Ablon & Co. Decision postponed to December.

SUPREME COURT—May Term.—Our readers will
doubtess recollect that a man by the name of Louis
Mankieutes, a few days since made certain charges
against John B. Manchester, Equ who acted as one of his
Counsel upon his trial for grand larceny in the Court of
Sessions. Mr. Manchester at the time pronounced the
charges faise, and demanded an investigation.

The Supreme Court, have since that time, made a
thorough investigation of the whole matter, and have
fully concreted Mr. Manchester irom the charges made
against him by Mankieutes.

It appears from the papers submitted to the Justices
of the Supreme Court that the said Mankieutes is a base
imposter, and that he was induced by certain individuals
who are not on very friendly terms with Mr. Manchester
to make said charges, they promising, if he would do
so, to save him from the State Prison.

The individual who prompted him to make the attack
as well as Mankieutes infined have tuterly failed in their
object. He saved himself from the State Prison, having
already been senienced to Sing Sing, and they to effect
Mr. Manchester's reputation the Supreme Court baving
decided that he had done noxhing in the premises, that
could in the least impair his standing at the bar.

Before a full Bench.—In the case of Mr. Manchester, an
attorney and counselior of the court, relative to whom a
motion was made on charges preferred by a man at the
Sessions in connection with advice as to a piano forts, &c
the Court considered the arower of Mr. Manchester and
filters, and dismissed the motion.

In the case of the People vs. John F. Kefly, for an alleged
libel on Dr. Haine, pnotished in the Court Journal, a new
trial was granted.

Toules days alone take the above of Mr. Manchester

Touls and days and the size of the report of referees

Touls are days and the size of the report of referees

Touls and an advised the motion.

In the case of the People vs. John F. Kefly, for an alleged
libel o The Who Wants to as Hambsone and Good Lock-ing f-Many may smillest this, but we have seen the experiment tested. We have seen several lately who have assumed what they over bad before, viz the satisfaction of a sin and luxuriant fair. One young lady and gents man, where six and ince were timy deposing with empirical fair one case, too, and charges to chor or suchural or yellow which to a healthy clearness. We correct, can speak from using JONES'S CORAL HAIR RESTORATIVE. Our hair was faining our, and find with score, and this noticely removed it.

Will quically dispel them and make them alor Twin make their coarse skin, though 'ta rou Toules add Wright.—Motion to set aside report of receives denied.

**Monoth, healthy and clear—as the garden of Eden—And if when you've conquered—why hardsome you'd live, Decinises. See other decisions in another column.

U. S. CIRCUIT COURT.—The case of Dey vs. Meyer is still on.

**Example of the American Engle, 32 Chaidman et or 418 Bioned way, and 130 Futton-et Revokiny.

**Monoth, healthy and clear—as the garden of Eden—And if when you've conquered—why hardsome you'd live, Use a case of Josef Supportant Restorative.

But these reality and truly excellent articles we sold it the sign of the American Engle, 32 Chaidman et or 418 Bioned way, and 130 Futton-et Revokiny.

COURT OF COMMON PLEAS—Before Judge Ingraham.—

Terrace Donneidy as Wm. Edgar —Mr. Edgar let to Mr.
Murphy premises No. 79 Washington st., who re-let to
Donneily. Murphy not conforming to the terms of his
lease was proceeded against and ejected. Donneily afterlease was proceeded against and ejected. Donneily afterwards paid \$140 to Mr. E. or his new tenant. It is now
contended that the proceedings against Murphy were in-